

**Notice of Allowability**

Application No.

09/939,657

Examiner

James A. Thompson

Applicant(s)

TAKAHASHI ET AL.

Art Unit

2625

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 27 February 2007.
2. ☒ The allowed claim(s) is/are 1-11.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**DAVID MOORE**  
SUPERVISORY PATENT EXAMINER

James A. Thompson  
Examiner  
Technology Division 2625

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 27 February 2007 has been entered.

### ***Response to Arguments***

2. Applicant's arguments, see pages 9-11, filed 27 February 2007, with respect to the rejections of the claims under 35 USC §103(a) have been fully considered and are persuasive. The rejections of the claims under 35 USC §103(a) set forth in the previous office action, mailed 27 September 2007, have been withdrawn. Firstly, with respect to page 9, lines 9-14, Examiner apologizes for the oversight in the previous action, but notes that the disputed claim language was nonetheless fully addressed on page 4, lines 1-8 of said previous office action. However, since the present amendments to the claims overcome the previously cited prior art, the point is now moot.

The present amendments to the claims, particularly the independent claims, greatly alters the scope of the recited invention. For the reasons set forth in detail below, Examiner now considers the present claims in condition for allowance.

### ***Allowable Subject Matter***

3. Claims 1-11 are allowed.

The following is an examiner's statement of reasons for allowance:

Claim 1 recites a device which corrects the reverse-side projection image (usually referred to as the "see-through image") based on characteristics of image data read by a scanner in a small portion of a document. The particular computations performed by the device specifically require that (1) if first image data value minus second image data value is less than or equal to a first predetermined value, and (2) if the first image data value minus the average of the first image data value and the second image data value is less than or equal to a second predetermined value, and (3) the first image data value is less than a third predetermined value, *then* the intensity of the first image data value is changed to a predetermined low

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intensity, thus correcting the reverse-side projection image. Examiner has not discovered in the prior art this particular specific way of determining and correcting for see-through image data.

The closest prior art discovered are Knox (USPN 5,832,137) and Matsuda (USPN 6,285,470 B1). Knox eliminates see-through image data in a scanned document image. However, Knox does not utilize all three of the specific criteria of the presently recited invention, as set forth above. Furthermore, Knox requires that both sides of the duplex document be scanned, which the presently recited invention specifically avoids. Matsuda only requires scanning one side of the document image to perform see-through correction. However, Matsuda performs see-through correction based on histogram analysis, and not the specific analysis recited in claim 1, as discussed above.

Claims 10 and 11 are allowable for the same reasons as claim 1.

Claims 2-9 are allowable at least due to their dependencies, either directly or indirectly, from claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Thompson whose telephone number is 571-272-7441. The examiner can normally be reached on 8:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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09 May 2007